

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEAN VERLUS, JOANNE VERLUS, and PAULINE
VERLUS,

Plaintiffs,

Civil Action No.:
14-CV-2493 (NSR)(LMS)

-against-

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

LIBERTY MUTUAL INSURANCE COMPANY,
WILSON TAYLOR, BEVERLY TAYLOR, and
GRACE TAYLOR

Defendants.

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MADAMS/SIRS:

PLEASE TAKE NOTICE that upon the accompanying declaration of Joseph Egan, executed on the 20th day of February, 2015, the exhibits annexed thereto, the accompanying affidavit of Michael L. Ihrig II, Esq., sworn to on the 20th day of February, 2015, the exhibits annexed thereto, the accompanying memorandum of law, the Local Civil Rule 56.1 Statement of Facts, and the prior proceedings heretofore had herein, defendant LIBERTY MUTUAL FIRE INSURANCE COMPANY ("Liberty Mutual") i/s/h/a LIBERTY MUTUAL INSURANCE COMPANY shall move this Court before the Honorable Nelson Stephen Román, on the date and time determined by the Court, for an Order, pursuant to Fed. R. Civ. P. 56, granting summary judgment in favor of Liberty Mutual and against plaintiffs JEAN VERLUS, JOANNE VERLUS, and PAULINE VERLUS, declaring and determining that the dog attack at issue constituted a single "occurrence", dismissing the Verified Complaint for Declaratory Action, and

granting Liberty Mutual the costs and disbursements of the instant action, together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order dated January 23, 2015, plaintiffs' opposition/cross-moving papers must be served upon the undersigned no later than April 7, 2015; Liberty Mutual's reply/opposition to cross-motion must be served upon the plaintiffs no later than May 22, 2015; and plaintiffs' cross-reply must be served upon the undersigned no later than June 8, 2015.

Dated: New York, New York
February 20, 2015

Yours, etc.,

JAFFE & ASHER/LLP

By: 

Marshall T. Potashner, Esq.

Michael L. Ihrig II, Esq.

Attorneys for Defendant

LIBERTY MUTUAL FIRE INSURANCE
COMPANY i/s/h/a LIBERTY MUTUAL
INSURANCE COMPANY

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